



State of New Jersey

DEPARTMENT OF THE TREASURY

DIVISION OF PURCHASE AND PROPERTY

PURCHASE BUREAU

P.O. Box 230

TRENTON, NEW JERSEY 08625-0230

JAMES E. MCGREEVEY
Governor

JOHN E. MCCORMAC, CPA
State Treasurer

[Model Letter to Vendors]

[DATE]

[Vendor Contact Name]
Vendor Address]

Re: RFP 05-X-
Title

Dear :

As you are aware, your firm submitted a bid proposal in response to the referenced RFP, which is under evaluation. The purpose of this letter is to advise you that on September 22, 2004, Governor James E. McGreevey signed Executive Order 134 ("E.O. 134"), which, among other things, imposes new restrictions on the ability of State departments, agencies and authorities to award contracts exceeding \$17,500 to vendors who make certain political contributions on and after October 15, 2004, in order to ensure that the public can have confidence that the selection of State contractors is based on merit and not on the political contributions made by such contractors. E.O. 134 also requires the disclosure of all contributions to any political organization organized under 26 U.S.C. 527 that also meets the definition of a "continuing political committee" within the meaning of N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.7.

Specifically, the Order bans the award of a contract, for all contracts awarded on and after October 15, 2004, to a business entity that has solicited or made any contribution of money, pledge of contribution, including in-kind contributions,* under the following conditions:

- a) Within the 18 months (starting October 15, 2004) immediately preceding the solicitation of this RFP, any contribution to:
 - (i) Any candidate committee and/or election fund of any candidate for or current holder of the public office of Governor; or
 - (i i) Any State or county political party committee;

* "Contribution" means a contribution reportable by the recipient under the "New Jersey Campaign Contributions and Expenditures Reporting Act," N.J.S.A. 19:25-7.1 and N.J.S.A. 19:25-10.1 et seq. Currently, contributions in amount in excess of \$400 during a reporting period are deemed "reportable" under these laws. As of January 1, 2005, that threshold will be reduced to contributions in excess of \$300.

- b) During the term of office of the current Governor, any contribution to:
 - (i) Any candidate committee and/or election fund of the Governor; or
 - (i i) Any State or county political committee nominating such Governor in the election preceding the commencement of said Governor's term.
- c) Within the 18 months immediately preceding the last day of the term of the office of the Governor, any contribution to:
 - (i) Any candidate committee an/or election fund of the Governor; or
 - (i i) Any State or County political party committee of the political party nominating such Governor in the last gubernatorial election preceding the election. In the event such a contribution is made, the business entity will be barred from receiving the award of a contract throughout the remaining term of the current Governor and the full term of the next Governor.

In order to receive a State contract, a business entity will be required to certify that no such contributions have been made and also agree to disclose on a continuing basis thereafter any such contributions when those contributions are made, all contributions to any 527 organization, as described above. The Disclosure Statements will be subject to review by the Treasurer or his designee to determine if the 527 contributions pose any conflict of interest, in which event, a decision will be made, on a case by case basis of whether the contract must be rescinded or may be allowed to proceed.

Accordingly, you are cautioned that proscribed contributions made on and after October 15, 2004 will not only preclude a business entity from receiving a contract award pursuant to the referenced RFP but may also preclude award of contracts pursuant to future bidding opportunities.

Because of the likelihood that the contract under this solicitation will be made on or after October 15, 2004, the intended awardee will receive, with the Notice of Intent to Award a contract, a Certification form that must be signed and returned to the undersigned Purchase Bureau Buyer, within five (5) business days of the date of the letter, in order for the selected firm(s) to be qualified to receive a contract award, which letter will also detail the disclosure requirements of the Executive Order.

The full text of the Executive Order may be accessed at http://www.state.nj.us/cgi-bin/governor/njnewsline/view_article.pl?id=2151

Thank you for your anticipated cooperation and participation in the bidding process.

Very truly yours

Purchase Bureau Buyer